GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department – Disciplinary Matters - Sri T.Bala Murali Krishna, the then Superintendent, O/o Commissioner of Horticulture, A.P., Guntur - Disciplinary action initiated under Andhra Pradesh Civil Services (CC&A) Rules, 1991- Imposed major penalty of reversion to the post of Junior Assistant from Superintendent - Appeal submitted – Rejected – Re examined the issue as per the directions of Hon'ble High Court of AP in WP (AT) No.460 of 2021 - Revised and reduced the punishment to that of from the category of Superintendent to the category of Senior Assistant for a period of (3) years i.e., from I7-2-2014 to 16-2-2017 – Orders – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.806 **Dated:15/09/2025**

Read the following:

1. Proceedings No.Estt.II(1)263/2013, dt.17.02.2014 of the Commissioner of Horticulture, A.P., Hyderabad.
2. Appeal Petition filed by Sri T.Bala Murali Krishna, Junior Assistantdt.02.08.2018.
3. Govt., vide Memo No.7057/Vig.I/2014, Dt:31.3.2015.
4. From Sri T.Bala Murali Krishna, Junior Assistant 2nd Appeal application dt.27.02.2016.
5. Govt., Memo No.1760/Vig.1.2/2016, dt.20-5-2016.
6. From the Hon'ble High Court of A.P., Amaravati Orders dt.01.12.2022 in W.P. (AT) No.460 of 2021.
7. From the Commissioner of Horticulture, A.P., Guntur, Lr.No.Estt.II(1)263/2013, dt.22.02.2024, 07.03.2024 &17.10.2024.

-oo0oo-

In the reference 1st read above, Commissioner of Horticulture, A.P., Hyderabad, have issued orders imposing a Major penalty of "reduction to lower rank from the cadre of Superintendent to the cadre of Jr. Assistant" against Sri T.Bala Murali Krishna, Junior Assistant, O/o Commissioner of Horticulture, A.P., Guntur, under A.P. Civil Services (CC&A) Rules, 1991. Aaccordingly he was reverted to the cadre of Junior Assistant.

2. In the reference 2nd read above Sri T.Bala Murali Krishna, Junior Assistant has submitted appeal petition and stated that the delay/lapses for depositing of certain Cheques/DDs into appropriate account and slackness in processing certain files took place are partly due to enormous work load in the seat and partly due to personal and family problems but not due to negligence in discharging his legitimate duties. However, all the DDs/ Cheques have been accounted for later and remitted into the appropriate account and as such there is no loss to Government exchequer. Further he has submitted that "the quantum of proposed punishment to be imposed shall commensurate with the gravity of the charges established". But, in his case, the disciplinary authority has awarded major penalty of 'reverting to the lower rank of Junior Assistant, from the post of Superintendent', without taking into consideration neither his previous tract record nor gravity of the charges which is against to the Principles of Law and Natural Justice. Therefore, he has requested to kindly drop the Major Penalty of reverting to the lower rank of Junior Assistant from the post of Superintendent, imposed on him by the Commissioner of Horticulture, Andhra Pradesh.

3. The Govt. vide reference 3rd read above rejected the appeal petition stating that the individual has not submitted any new grounds. In the reference 4th read above the individual has submitted 2nd appeal before the Govt., with a request to re consideration of his request on his 1st appeal rejected by the Government. The Govt., in the reference 5th read above rejected the 2nd appeal and informed that the punishments awarded by the Commissioner of Horticulture, A.P, Guntur to the individual vide proceedings dt.17-2-2014, did not indicate the period of reduction of Sri T.BalaMurali Krishna, Superintendent, to the lower post of Junior Asst., and hence, it shall be treated as permanent.

4. Aggrieved by this, Sri T.Bala Murali Krishna, the reverted Junior Asst., has filed O.A.No. 4392/2016 before the Hon'ble APAT and prayed that to declare the action of the 2nd Respondent i.e., Commissioner of Horticulture in reverting to the lower rank as Junior Assistant from the post of Superintendent by issuing impugned Proc.No.Estt-II

(P.T.O.)

(1)263/2013, Dt:17-02-2014 and confirmed by the 1st Respondent i.e., Government by rejecting the appeal filed by the applicant vide Govt. Memo No.7057/Vig.I/2014, Dt:31-3-2015 and also rejected the revision petition of the applicant by the 1st Respondent vide Govt. Memo No.1760/Vig.1.2/2015, Dt:20-5-2016 as illegal, arbitrary and violation of principles of natural justice and call for the records on the file of the respondents and set aside the same and pass such other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case. Subsequently, as the Hon'ble Tribunal was abolished and transferred the cases to Hon'ble High Court, the Hon'ble High Court has dealt the same case in W.P (AT) No.460/2021.

5. In the reference 6thread above, the Hon'ble High Court of A.P., Amaravati, in its orders dt.01.12.2022 in W.P. (AT) No.460 of 2021, filed by Sri T.Bala Murali Krishna, Junior Assistant, has disposed the case and made the following:

> "….. In view of the above observation, this court is of the considered view that, while setting aside the impugned proceedings No.Estt.II(1)263/2013, dt.17.02.2014 which was confirmed by the 1st respondent rejecting the appeal filed by the petitioner in Memo No.7057/Vig.I/2014, dt.31.03.2015 and also rejected the revision petition of the petitioner by 1st respondent vide Govt. memo No.1760/Vig.1.2/2016, dt.20.05.2016, directing the respondents to take a lenient view by re-examining the issue and pass appropriate orders in accordance with law as expeditiously as possible.

6. In the reference 7th read above, the Director of Horticulture & Sericulture, AP, Guntur has furnished detailed report in the matter and requested to issue necessary orders in the matter.

7. The Government have re-examined the entire issue in the light of the orders of Hon'ble High Court in WP(AT) No.460 of 2021 and decided to review the major penalty of "reverting to lower rank as Junior Assistant from the post of Superintendent" imposed against Sri T.Bala Murali Krishna by the Commissioner of Horticulture, AP, vide Proceedings No.Estt.II(1)263/2013, dt.17.02.2014 and accordingly ordered to reduce to that of "**reversion** from the category of Superintendent to the category of Senior Assistant for a period of three (3) years i.e., from 17-2-2014 to 16-2-2017" with the following conditions:

i) On expiry of the punishment period, the individual is to be promoted automatically.

ii) On re-promotion he will regain his original seniority in the cadre of Superintendent.

iii) On reduction to the lower grade i.e., Senior Asst., the individual will earn increments in the cadre of Senior Asst., during the punishment period.

iv) On reduction to lower post, will not have the effect of postponing the future increments for the individual.

8. The Director of Horticulture, AP, Guntur shall take necessary action accordingly.

9. The original records relating to the above said disciplinary case are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri T. Bala Murali Krishna, Junior Asst (Reverted), O/o Commissioner of Horticulture, AP, Guntur (through the Director of Horticulture, AP, Guntur)
The Director of Horticulture, AP, Guntur (w.e.)

Copy to:
The PAO, O/o Director of Horticulture & Sericulture, Chuttugunta, Guntur.
The Director of Treasuries & Accounts, AP, Mangalagiri.
SF/SC. (2017452)

// FORWARDED BY ORDER //

SECTION OFFICER